CITY OF FAIRFIELD

RESOLUTION NO. 2012 - 127

RESOLUTION OF THE CITY COUNCIL APPROVING THE PLANS AND SPECIFICATIONS, RELIEVING ASHLIN PACIFIC CONSTRUCTION, INC., OF ITS BID, AND AWARDING A CONTRACT TO MCI ENGINEERING, INC., FOR THE WATERMAN WATER TREATMENT PLANT LAGOON 2 UNDERDRAIN REPAIR PROJECT

WHEREAS, the bid opening for the Waterman Water Treatment Plant Lagoon 2 Underdrain Repair Project took place on May 17, 2012; and

WHEREAS, Ashlin Pacific Construction, Inc., submitted the apparent low bid but requested withdrawal of bid without the loss of bid security and demonstrated its eligibility for such relief pursuant to Public Contract Code section 5103; and

WHEREAS, MCI Engineering, Inc., submitted the next lowest responsive bid; and

WHEREAS, the City Council is the awarding authority for the City of Fairfield and has the authority to determine minor irregularities and relieve a bidder of its bid with or without the loss of bid security under the California Public Contract Code Section 5101.b.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF FAIRFIELD HEREBY RESOLVES:

- Section 1. The plans and specifications for the Waterman Water Treatment Plant Lagoon 2 Underdrain Repair Project are hereby approved.
- Section 2. The City Manager is directed to enter into a contract with MCI Engineering, Inc., for the Waterman Water Treatment Plant Lagoon 2 Underdrain Repair Project in the amount of \$213,059.00.
- Section 3. Ashlin Pacific Construction, Inc., is relieved of its obligations to perform work related to the project for the bid amount without forfeiture of bid security.
- Section 4. The City Manager is hereby authorized to implement the above-mentioned contract with MCI Engineering, Inc.

PASSED	AND	ADOPTED	this	19th	day o	f June	2012,	by the	following	vote:

AYES:

COUNCILMEMBERS:

Price/Vaccaro/Bertani/Moy/Mraz

NOES:

COUNCILMEMBERS:

None

ABSENT:

COUNCILMEMBERS:

None

ABSTAIN:

COUNCILMEMBERS:

None

MAYOR

ATTEST:

TY CLERK

pw∜

CITY OF FAIRFIELD

STATE OF CALIFORNIA

<u>PROPOSAL</u>

WATERMAN WATER TREATMENT PLANT LAGOON 2 UNDERDRAIN REPAIR PROJECT

To the City Clerk of the City of Fairfield:	
The undersigned declares that he has examined the locations of the proposed work, th	ıa

he has examined the plans, specifications, and all the contract documents, and hereby proposes to furnish all materials, labor, equipment, and perform all the work in strict accordance with said plans, specifications, and contract documents in consideration of the attached schedule.

The undersigned further agrees that, upon written acceptance of this bid, he will within FIFTEEN (15) work days of receipt of such notice execute a formal contract agreement with the City of Fairfield, with necessary bonds and certificate and city standard form endorsement of insurance. He also agrees that, in the case of default in executing the contract, the proceeds of the check or bond accompanying his bid shall become the property of the City of Fairfield.

The undersigned agrees that, if awarded the contract, he will commence the work upon written notice to proceed and shall diligently prosecute the same to completion before the expiration of **Forty Nine (49)** working days from the date of said written notice to proceed.

Bids are to be submitted for the entire work.

Contractor: MCI Engineering, Inc.

The amount of the bid for comparison purposes will be total amount of bid.

The bidder shall set forth for each unit basis item of work an item price and a total for the item, and for each lump sum item a total for the item, all in clearly legible figures in the respective spaces provided for this purpose. In the case of unit basis items, the amount set forth under the "Total" column shall be the extension of the item price bid on the basis of the estimated quantity for this item.

In case of discrepancy between the item price and the total set forth for a unit basis item, the item price shall prevail, provided, however, if the amount set forth as an item price is ambiguous, unintelligible or uncertain for any cause, or is omitted, or is the same amount as the entry in the "Total" column, then the amount set forth in the "Total" column for the item shall prevail and shall be divided by the estimated quantity for the item and the price thus obtained shall be the item price.

The following quantities are approximate only, being given as a basis for the comparison of bids, and the City of Fairfield does not expressly or by implication agree that the actual amount of work will correspond therewith and reserves the right to increase or decrease the amount of any portion of the work or to omit portions of the work as may be deemed necessary or advisable by the City Engineer. The undersigned further agrees to accept the aforesaid unit bid prices in compensation for any additions or deductions caused by variation in quantity due to more accurate measurement or by any changes or alterations in the plans or specifications of the work.

Bid	der	acknov	wledges	s receip	t of the t	following	addenda:
1	&	2					
_							
							

WATERMAN WATER TREATMENT PLANT LAGOON 2 UNDERDRAIN REPAIR PROJECT

				Unit	
Item			Estimated	Price	Total
No.	Item of Work	Unit	Quantity	(\$)	Price (\$)
1	All Contract Work Other Than Specifically	LS	P. F. 1981	l	
	Listed Under a Bid Item (mobe, demobe,				נים
	temp power, coordination)				1,300.
2	Prepare, submit, and implement	LS	1. 小型	4.000	
	abbreviated SWPPP (including installing straw wattles, up to				5,700.00
	2,000 ft)		46.75	4	ango
3	Clear and grub Lagoons 2 and 3	SF	8,000	, 73	8.650.00
4	Clear and grub stockpile location	SF	50,000	.06	3,000.00
5	Mix/process byproduct material at Lagoons	EA	4		
	2 and 3			4,500.00	18,000.00
6	Haul and compact byproduct material from	CY	8,000	/2	60
	Lagoons 2 and 3 to stockpile site	0)/	0.407	Ú.	48,960.
7	Furnish and install erosion control (Type D-hydro seed)	SY	2,407	2.50	4,017.50
	Lagoon 2 Underdrain repair			11.4	
8	Demolish existing underdrain system	LS	排作發出		5.945.00
9	trenching	LF	515	19.00	9,785.
10	Type H Graded Drain Rock	CY	50	120.00	6,000.00
11	6" SDR (21) piping (perforated)	LF	340	14.00	4.760.00
12	6" SDR (17) piping (non-perforated)	LF	219	14.00	3. Older
13	Geotextile (non-woven) wrap	SY	115	24.50	2817.50
14	1" thick neoprene sponge	SF	700	28.00	19,600.00
15	Class 2 Aggregate Base	CY	20	197.00	3,940.00
16	5 ft wide reinforced concrete cap	LF	374	36.00	13.464.
17	Tie-in, connections, elbows, testing/flushing,	LS			·~
18	and video inspection Import soil (excavate, haul, and compact)	CY	2 226		1700.
10	import son (excavate, flaul, and compact)		3,226	14.00	45,164.00

Total Bid \$: 207, 869.00 mank

WATERMAN WATER TREATMENT PLANT LAGOON 2 UNDERDRAIN REPAIR PROJECT

DESIGNATION OF SUBCONTRACTORS

In accordance with Section 5 of the General Provisions for this contract, the following list of subcontractors is submitted with the proposal and made a part thereof. The bidder shall note that he/she shall perform with his own organization at least 50% of the work with the remainder of the work performed by sub-contractors.

If the Contractor fails to specify a subcontractor for any portion of the work to be performed under the contract, he shall be deemed to have agreed to perform such portion himself, and he shall not be permitted to subcontract that portion of the work except under the conditions hereinafter set forth.

Subletting or subcontracting of any portion of the work for which no subcontractor was designated in the original bids shall only be permitted in cases of public emergency or necessity, and then only after receiving written approval from the City Engineer.

The name and location of the shop or office of each subcontractor who will perform work or labor or render service to the Contractor in or about the construction of the project and that portion of the work to be performed by the subcontractor is as follows:

Subcontractor's Name and Address	Sub-contractor License Number	Portion of Work or Item(s) of work to be performed	Percent of Total
1) Nitta ERROGION Curtol	401648	ERROSIUM Control, Hydru Sou	8%
LOOME, CA. 2)			
3)			
4)			
''			

Subcontractor's Name and Address	Sub-contractor License Number	Portion of Work or Item(s) of work to be performed	Percent of Total
5)			
6)			
7)			
8)			·
	·		
9)			
		·	
MANAGE TO THE STATE OF THE STAT			
10)			

Note: Attach additional sheets if required

NONCOLLUSION AFFIDAVIT TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

Jenniiei		, be	ing firs	t duly swom, d	deposes and sang, Inc.	ays that he or
she is _	President					
, ,	•	egoing bid, that the b				
•	•	son, partnership, cor		•	•	•
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May 1	7, 2012		,		100	j
			(2)	Jerrya)	<u> </u>	
(Date)			(Sigi	pature		
				,)		

NOTE: THIS FORM MUST BE NOTARIZED.

ACKNOWLEDGMENT

State of California County of
On May 81, 2012 before me, Dustin Ketterling, Notary Public (insert name and title of the officer)
personally appearedJennifer Meza,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
 I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal. Dustin J. Ketterling COMM. # 1874251 NOTARY PUBLIC-CALIFORNIA SAN JOAQUIN COUNTY
Signature Lustus Kollinia (Seal)

Waterman Water Treatment Plant Lagoon 2 Underdrain Repair Project

	MCI Engineering, Inc.
	Name of Firm
	7207 Murray Drive, Stockton, CA 95210
	Business Address
	(209) 472-1607
	Phone Number
	Signature of Responsible Official Contractor's License: a. Class: A, B, C-8, C-27, ASB, HAZ b. Number: 804672 c. Expiration Date: 2/28/14
	FEI Number: 68-0486529
If corporation or partnership, give treasurer, or names of all partners.	legal name of corporation, president, secretary,
	MCI Engineering, Inc., A California Corporation
	Jennifer Meza - President
	Kurt McFadden - Vice President, Secretary, Treasurer

City of Fairfield

WATERMAN WATER TREATMENT PLANE LAGOON 2 UNDERDRAIN REPAIR **PROJECT**

ADDENDUM NUMBER 1

Date: May 10, 2012

TO ALL PROSPECTIVE BIDDERS:

The City of Fairfield (City), located at 1000 Webster Street, Fairfield, California 94533, hereby issues this addendum to the above-stated project and contract.

Bidders are instructed to submit bids for this work with the understanding and full consideration of this addendum. The revisions declared in this addendum are an essential part of the contract, and the contract documents to be executed will contain a copy of this addendum.

Any references to page numbers in this addendum are included to assist Bidder's in posting the changes in this addendum to the original bidding documents. In cases of conflict between the page reference and the description of the change, the description shall take precedence.

The Bidder shall acknowledge receipt of this Addendum on Page P2 of the Bidder's Proposal and attach this signed Addendum Cover Sheet to the Bidder's Proposal when submitted.

APPROVED:

ACKNOWLEDGEMENT:

Director of Public W

BIDDER: Return a signed copy of THIS PAGE (only) of this addendum with your proposal, unless directed otherwise. Please insert it and all other addenda signature pages, if any, in numerical order, loosely behind the Proposal signature page in the Proposal and Contract book. Failure to thus acknowledge receipt of and include the provisions of this addendum in your proposal will be just cause for considering your bid to be non-responsive.

City of Fairfield

WATERMAN WATER TREATMENT PLANE LAGOON 2 UNDERDRAIN REPAIR **PROJECT**

ADDENDUM NUMBER 2

Date: May 14, 2012

TO ALL PROSPECTIVE BIDDERS:

The City of Fairfield (City), located at 1000 Webster Street, Fairfield, California 94533, hereby issues this addendum to the above-stated project and contract.

Bidders are instructed to submit bids for this work with the understanding and full consideration of this addendum. The revisions declared in this addendum are an essential part of the contract, and the contract documents to be executed will contain a copy of this addendum.

Any references to page numbers in this addendum are included to assist Bidder's in posting the changes in this addendum to the original bidding documents. In cases of conflict between the page reference and the description of the change, the description shall take precedence.

The Bidder shall acknowledge receipt of this Addendum on Page P2 of the Bidder's Proposal and attach this signed Addendum Cover Sheet to the Bidder's Proposal when submitted.

APPROVED:

ACKNOWLEDGEMENT:

STEVEN L. HARTWIG. P.E.

Director of Public Works

BIDDER: Return a signed copy of THIS PAGE (only) of this addendum with your proposal, unless directed otherwise. Please insert it and all other addenda signature pages, if any, in numerical order, loosely behind the Proposal signature page in the Proposal and Contract book. Failure to thus acknowledge receipt of and include the provisions of this addendum in your proposal will be just cause for considering your bid to be non-responsive.

Department of Consumer Affairs Contractors State License Board

Contractor's License Detail - License # 804672

DISCLAIMER: A license status check provides information taken from the CSLB license database. Before relying on this information, you should be aware of the following limitations.

- CSLB complaint disclosure is restricted by law (<u>B&P 7124.6</u>) If this entity is subject to public complaint disclosure, a link for complaint disclosure will appear below. Click on the link or button to obtain complaint and/or legal action information.
- Per B&P 7071.17, only construction related civil judgments reported to the CSLB are disclosed.
- ->> Arbitrations are not listed unless the contractor fails to comply with the terms of the arbitration.
- Due to workload, there may be relevant information that has not yet been entered onto the Board's license database.

License Number	804672		Extract Date 5/17/2012		
	M C I ENGI	NEERING INC	ar but discontrate the contrate of the contrat		
Business Information	Business Ph	one Number: (209) 472-1607			
	7207 MURR STOCKTON				
Entity	Corporation	\$600.000.000.000.000.000.000.0000.0000.			
ssue Date	02/27/2002				
Expire Date	02/28/2014				
License Status	ACTIVE				
	This license is current and active. All information below should be reviewed.				
Additional Information	Click here	for Complaint Disclosure information	1.		
100 to	CLASS	DESCRIPTION			
	Α	GENERAL ENGINEERING CONTRACTOR			
Classifications	В	GENERAL BUILDING CONTRACTOR			
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	This licens	e filed a Contractor's Bond with			
	FIDELITY	AND DEPOSIT COMPANY OF MARYL	AND.		
	Bond Nun	n ber: 8951349			
	Bond Amo	unt: \$12,500			

Effective Date: 03/18/2010 Contractor's Bond History

BOND OF QUALIFYING INDIVIDUAL

 The Responsible Managing Officer (RMO) MCFADDEN KURT THOMAS certified that he/she owns 10 percent or more of the voting stock/equity of the corporation. A bond of qualifying individual is **not** required.

Effective Date: 06/22/2011

BQI's Bond History

WORKERS' COMPENSATION

This license has workers compensation insurance with

EVEREST NATIONAL INSURANCE COMPANY

Workers' Compensation

Policy Number: 7600007811111

Effective Date: 09/01/2011 Expire Date: 09/01/2012

Workers' Compensation History

Personnel listed on this license (current or disassociated) are listed on other licenses.

Personnel List Other Licenses Complaint Disclosure

Conditions of Use | Privacy Policy Copyright © 2010 State of California

ARTICLES OF AGREEMENT

THIS AGREEMENT, made on the 19th day of June 2012, by and between CITY OF FAIRFIELD, party of the first part, hereinafter called the CITY, and MCI Engineering, Inc., party of the second part, hereinafter called the CONTRACTOR.

It is understood City Engineer representing the CITY shall be the City Engineer of Fairfield, acting directly or through properly authorized agents.

WITNESSETH, that the CONTRACTOR and the CITY, for the consideration hereinafter named, agree as follows:

I. SCOPE OF WORK

The CONTRACTOR hereby agrees to furnish all of the materials and all of the equipment and labor necessary and to perform all of the work shown on the plans and described in the specifications for the project entitled:

WATERMAN WATER TREATMENT PLANT LAGOON 2 UNDERDRAIN REPAIR PROJECT

all in accordance with the requirements and provisions of the following Documents which are hereby made a part of this Agreement:

a.	Plans prepared for same byMWH and City of Fairfield
	numberedMWH (C-1, C-2, C-3, C-4, C-5); City (sheets 1, 2, 3, 4, 5)
	and dated 8/25/10 and 4/23/12
b.	Advertisement for Bids.
C.	The Accepted Bid, dated May 17, 2012 .
d.	Instructions to Bidders.
e.	 Specifications consisting of: Specific Provisions. General Provisions. City of Fairfield Standard Details and Specifications, 1998 edition. Standard Specifications issued by State of California, Department of Transportation, Division of Highways, dated July, 2002.
f.	Performance Bond, dated
g.	Labor and Material Bond, dated

WATERMAN WATER TREATMENT PLANT LAGOON 2 UNDERDRAIN REPAIR PROJECT

Item No.	Item of Work	Unit	Est. Qty	Unit Price (\$)	Total Price (\$)
1	All Contract Work Other Than Specifically Listed Under a Bid Item (mobe, demobe, temp power, coordination)	LS	Lot. Qty	(Ψ)	\$1,300.00
2	Prepare, submit, and implement abbreviated SWPPP (including installing straw wattles, up to 2,000 ft)	LS			\$5,700.00
3	Clear and grub Lagoons 2 and 3	SF	8,000	\$1.73	\$13,840.00
4	Clear and grub stockpile location	SF	50,000	\$.06	\$3,000.00
5	Mix/process byproduct material at Lagoons 2 and 3	EA	4	\$4,500.00	\$18,000.00
6	Haul and compact byproduct material from Lagoons 2 and 3 to stockpile site	CY	8,000	\$6.12	\$48,960.00
7	Furnish and install erosion control (Type D-hydro seed)	SY	2,407	\$2.50	\$6,017.50
	Lagoon 2 Underdrain repair	Г			
88	Demolish existing underdrain system	LS	* * * * * * * * * * * * * * * * * * * *	7.00	\$5,945.00
9	trenching	LF	515	\$19.00	\$9,785.00
10	Type H Graded Drain Rock	CY	50	\$120.00	\$6,000.00
11	6" SDR (21) piping (perforated)	LF	340	\$14.00	\$4,760.00
12	6" SDR (17) piping (non-perforated)	LF	219	\$14.00	\$3,066.00
13	Geotextile (non-woven) wrap	SY	115	\$24.50	\$2,817.50
14	1" thick neoprene sponge	SF	700	\$28.00	\$19,600.00
15	Class 2 Aggregate Base	CY	20	\$197.00	\$3,940.00
16	5 ft wide reinforced concrete cap	LF	374	\$36.00	\$13,464.00
17	Tie-in, connections, elbows, testing/flushing, and video inspection	LS			\$1,700.00
18	Import soil (excavate, haul, and compact)	CY	3,226	\$14.00	\$45,164.00

Total Bid \$:213,059.00

IV. PROHIBITED INTERESTS

No employee of the City of Fairfield shall have any direct financial interest in this contract. This contract shall be voidable at the option of the City if this provision is violated.

V. WORKERS' COMPENSATION

Contractor hereby certifies that Contractor is aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that Code, and that Contractor will comply with such provisions before commencing the performance of the work of this contract.

a. Class: A, B, C-8, C-27, ASB, HAZ

b. Number: 804672

c. Expiration Date: <u>2/28/14</u> FEI Number: <u>68-0486529</u>

above written.	
WITNESS:	CITY OF FAIRFIELD
Vacacia Occher Dopo	Lity By: Mull
City Clerk	City/Manager Gen
	MCI Engineering, Inc.
	CONTRACTOR
	By: KURT NUFAMOEN
	Title
	Licensed in accordance with an act providing for the registration of contractors.
	Contractor's License:

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first

EDD REPORTING REQUIREMENTS CHECKLIST

Effective January 1, 2001 the State Employment Development Department (EDD) requires the following.				
	mplete the following: (To be			
Department:				
•		• • • • • • • • • • • • • • • • • • • •	Contract Expiration Date:Phone:	
Person Reviewing EDD Requirements:			Fildle,	
\$600 (six l	ORTING REQUIREMENTS. hundred dollars) or more in a reporting requirements:	When CITY executes an ag any one calendar year, CON	greement for or makes payment to CONSULTANT in the amount of SULTANT shall provide the following information to CITY to comply	
	Whether CONSULTANT is doing business as a sole proprietorship, partnership, limited liability partnership, corporation, limited liability corporation, non-profit corporation or other form of organization.			
	If CONSULTANT is doing business as a sole proprietorship, CONSULTANT shall provide the full name, address and social security number or federal tax identification number of the sole proprietor.			
C.	If CONSULTANT is doing business as other than a sole proprietorship, CONSULTANT shall provide CONSULTANT's federal tax identification number.			
	dicate the type of business a	and provide the information t		
NAME AND ADDRESS				
FULL NAME		MCI Engineering, Inc		
		7207 Murray Drive		
CITY, STATE, ZIP Stockton, CA 95210		A 95210		
BOX 2		A	ND	
X Box	TYPE OF	BUSINESS	SOCIAL SECURITY NUMBER, AND/OR FEDERAL ID NUMBER	
	SOLE PROPRIETORSHIP			
	PARTNERSHIP			
	LIMITED LIABILITY PARTNERSHIP		20.0400520	
X	X CORPORATION LIMITED LIABILITY CORPORATION		68-0486529	
	NON-PROFIT CORPORATION			
OTHER FORM OF ORGANIZATION		ANIZATION		

PLEASE RETURN THIS FORM WITH THE SIGNED CONTRACT TO THE CITY OF FAIRFIELD